



General Assembly

January Session, 2001

***Amendment***

LCO No. 7933

Offered by:  
REP. STONE, 9<sup>th</sup> Dist.

To: House Bill No. 5850

File No. 336

Cal. No. 254

***"AN ACT CONCERNING PEREMPTORY CHALLENGES IN A CIVIL ACTION."***

1 Strike out everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 51-241 of the general statutes is repealed and the  
4 following is substituted in lieu thereof:

5 On the trial of any civil action to a jury, each party may challenge  
6 peremptorily three jurors. Where the court determines a unity of  
7 interest exists, several plaintiffs or several defendants may be  
8 considered as a single party for the purpose of making challenges, or  
9 the court may allow additional peremptory challenges and permit  
10 them to be exercised separately or jointly. For the purposes of this  
11 section, a "unity of interest" means that the interests of the several  
12 plaintiffs or of the several defendants are substantially similar. A unity  
13 of interest shall be found to exist among parties who are represented  
14 by the same attorney or law firm. In addition, there shall be a  
15 presumption that a unity of interest exists among parties where no

16 cross claims or apportionment complaints have been filed against one  
17 another. In all civil actions, the total number of peremptory challenges  
18 allowed to the plaintiff or plaintiffs shall not exceed twice the number  
19 of peremptory challenges allowed to the defendant or defendants, and  
20 the total number of peremptory challenges allowed to the defendant or  
21 defendants shall not exceed twice the number of peremptory  
22 challenges allowed to the plaintiff or plaintiffs.

23 Sec. 2. Subsection (a) of section 51-243 of the general statutes is  
24 repealed and the following is substituted in lieu thereof:

25 (a) In any civil action to be tried to the jury in the Superior Court, if  
26 it appears to the court that the trial is likely to be protracted, the court  
27 may, in its discretion, direct that, after a jury has been selected, two or  
28 more additional jurors shall be added to the jury panel, to be known as  
29 "alternate jurors". Alternate jurors shall have the same qualifications  
30 and be selected and subject to examination and challenge in the same  
31 manner and to the same extent as the jurors constituting the regular  
32 panel. In any case when the court directs the selection of alternate  
33 jurors, each party may peremptorily challenge four jurors. Where the  
34 court determines a unity of interest exists, several plaintiffs or several  
35 defendants may be considered as a single party for the purpose of  
36 making challenges, or the court may allow additional peremptory  
37 challenges and permit them to be exercised separately or jointly. For  
38 the purposes of this subsection, a "unity of interest" means that the  
39 interests of the several plaintiffs or of the several defendants are  
40 substantially similar. A unity of interest shall be found to exist among  
41 parties who are represented by the same attorney or law firm. In  
42 addition, there shall be a presumption that a unity of interest exists  
43 among parties where no cross claims or apportionment complaints  
44 have been filed against one another. In all civil actions, the total  
45 number of peremptory challenges allowed to the plaintiff or plaintiffs  
46 shall not exceed twice the number of peremptory challenges allowed to  
47 the defendant or defendants, and the total number of peremptory  
48 challenges allowed to the defendant or defendants shall not exceed  
49 twice the number of peremptory challenges allowed to the plaintiff or

50 plaintiffs."